

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**MEMORANDUM ADOPTING REPORT AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On October 17, 2012, the report of the Magistrate Judge was entered containing proposed findings of fact and a recommendation that Plaintiff's Motion to Remand (Dkt. 6) be DENIED.

The court has made a *de novo* review of the objections raised by Plaintiff and is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections are without merit as to the ultimate findings of the Magistrate Judge. The court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this court.

Therefore, Plaintiff's Motion to Remand (Dkt. 6) is DENIED.

## IT IS SO ORDERED.

**SIGNED this the 28th day of March, 2013.**

Richard A. Schell  
RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE